

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bibbs et al.
Appl. No. : 10/527,430
Filed : March 9, 2005
For : CALCIUM CHANNEL
BLOCKERS
Examiner : Betton, T.
Group Art Unit : 1617

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10/21/08

(Date)

Neil S. Bartfeld, Ph.D., Reg. No. 39,901

RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Restriction Requirement mailed **July 25, 2008**, the Examiner restricted the pending claims into three inventions:

- I. Claims 1-6, drawn to a method for inhibiting calcium T-channel activity.
- II. Claims 7 and 8, drawn to a method for treating hypertension.
- III. Claims 9-11, drawn to a method for selecting calcium T-channel agonists.

In response to the Restriction Requirement, Applicants hereby elect Group I (Claims 1-6). Applicants reserve the right to pursue the remaining claims in a divisional application(s). Claims 1-6 read upon the elected invention

The Examiner has also required an election of one specific and exact T-channel compound (either Formula I or II). In response to this Election of Species Requirement, Applicants hereby elect formula I. Within formula I, Applicants elect the following substituents for the R groups: $R_1=CH_3$, $R_2=CH_3$, $R_3=CH_3$, $R_4=CH_3$, $R_5=CH(CH_3)_2$, $R_6=H$, $R_7=H$, $R_8=H$,

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$R_9=C_{15}H_{31}$, $R_{10}=H$. Since formula II was not elected, election of substituents for $R_{11}-R_{20}$ does not apply. Since Group III (claims 9-11) was not elected, election of whether the testing step will be done *in vitro* or *in vivo* according to claims 10 and 11 does not apply.

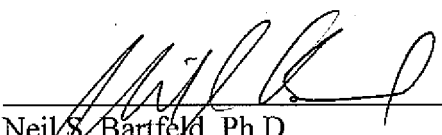
Applicants note that upon the allowance of a generic claim, that claims to additional species which are written in dependent form, or otherwise include all the limitations of an allowed generic claim, will be considered as provided by 37 C.F.R. 1.141. Claims 1-6 are generic and read upon the elected species. .

No fees are believed to be due. However, please charge any fees, including any fees for extensions of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/21/08

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